

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

The Union Central Life Insurance Co., :  
: :  
Plaintiff(s), : Case Number: 1:10cv95  
vs. : :  
: Chief Judge Susan J. Dlott  
Anchor Financial Services, LLC, et. al., :  
: :  
Defendant(s). : :  
:

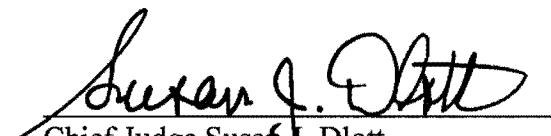
ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Timothy S. Black filed on May 21, 2010 (Doc. 11), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired June 11, 2010, hereby ADOPTS said Report and Recommendation.

The Court finds the Defendants have failed to meet their burden to establish a need for transfer. Even though, a District Court in New York will be more convenient for defendants, it will be an inconvenience for the plaintiff. Transfer of venue is not appropriate when transfer “would only shift the inconvenience from one party to another.” *Shanehchian v Macy’s, Inc.*, 251 .R.D. 287, 292 (S.D. Ohio 2008). Furthermore, defendants have failed to assert that witnesses will be unable or unwilling to participate in Ohio, nor have defendants demonstrated any significant hardship in the transportation of evidence to Ohio.

Accordingly, the Defendants' motion to transfer venue (Doc. 6) is **DENIED**.

IT IS SO ORDERED.

  
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Chief Judge Susan J. Dlott  
United States District Court